

5983

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

3 -----x
4 UNITED STATES OF AMERICA

5 versus 05 CR 60 (NGG)

6 VINCENT BASCIANO,

7 DEFENDANT. U.S. Courthouse
8 Brooklyn, New York

9 -----x
10 April 26, 2011
11 9:30 a.m.

12 TRANSCRIPT OF TRIAL

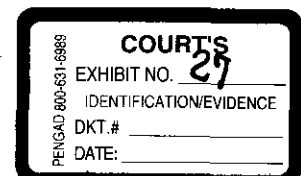
13 Before the HONORABLE NICHOLAS GARAUFIS, USDJ

14 APPEARANCES

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32 produced by computer-aided transcription.



CHARISSE KITT, CRI, CSR, RPR, FCRR
Official Court Reporter

3 Q What, if anything, did Randy Pizzolo say when you last
4 saw him?

5 A That he was going to take down the Bronx.

6 Q Who else was present when Randy Pizzolo said he was going
7 to take down the Bronx?

8 A Paul Spina.

9 Q What, if anything, did Paul Spina tell you that he was
10 going to do?

11 MR. GOLTZER: Objection. 801.

12 THE COURT: You may answer.

13 A He says that because Randy said he was going to take down
14 the Bronx, Paul Spina explained that he has to take this
15 upstairs.

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 A He explained that he has to take it up to his skipper,
25 his captain.

Volpe - Direct/Argentieri

1 Q And who was his skipper at that time?

2 A Joe C., Junior.

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 Q Did you see Paul Spina again after that night?

14 A Yes, I did.

15 Q Did you meet with him?

16 A Yes.

17 Q What, if anything, did Paul Spina say to you about Randy
18 Pizzolo?

19 MR. GOLTZER: Objection. 801.

20 THE COURT: You may answer.

21 MR. GOLTZER: Objection. [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

- Volpe - Direct/Argentieri

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Q What did Paul Spina say to you about Randy Pizzolo?

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MR. GOLTZER: Objection.

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THE COURT: You may answer -- well, can you be more specific?

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MS. ARGENTIERI: Yes.

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Q Directing your attention to several weeks after the incident at Napa Sonoma, did you have a discussion with Paul Spina about what happened to Randy Pizzolo?

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MR. GOLTZER: Objection.

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THE COURT: You may answer.

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A Yes.

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Q What did Paul Spina tell you?

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MR. GOLTZER: Objection.

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THE COURT: You may answer.

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A He told me to read the newspaper.

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MR. GOLTZER: Objection.

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THE COURT: Overruled.

21

Next?

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Q He told you to read the newspaper. What else did he say?

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MR. GOLTZER: Objection.

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THE COURT: Overruled.

Volpe - Direct/Argentieri

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1 A He said, did you read the newspaper? Did you see the
2 article in the newspaper?

3 Q What did he say next?

4 MR. GOLTZER: Objection. [REDACTED]
5 [REDACTED]

6 THE COURT: Leading?

7 What, if anything, did he say next?

8 THE WITNESS: He said, did you see what was in the
9 newspaper? And I read the article.

10 BY MS. ARGENTIERI

11 Q After you read the article, did you meet with Paul Spina
12 in person?

13 A Yes.

14 Q At that meeting what, if anything, did Paul Spina say to
15 you about Randy Pizzolo?

16 MR. GOLTZER: Objection.

17 THE COURT: Overruled. You may answer.

18 A He said he hoped what he said didn't get him killed.
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- Volpe - Direct/Argentieri

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Q When, if ever, did you talk to Paul Spina about Randy Pizzolo again?

A The morning when Paul called me at my office and said, did I read the newspaper.

Q What did you say?

A I said no. I opened up the Daily News and I saw the --

MR. GOLTZER: Objection.

THE COURT: Overruled. Next. You may finish.

THE WITNESS: I opened up the newspaper and I saw

- Volpe - Direct/Argentieri

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1 the article where Randy, where it said Randy was killed.

2 Q Did you have a further discussion with Paul Spina?

3 A Yes, he says come down and see me.

4 Q Did you go down and see him?

5 A Yes, I did. I went to his office.

6 Q What happened when you met with Paul Spina at his office?

7 A He basically spoke about the article and about Randy
8 being killed and he says I hope what I said didn't get him
9 killed.

10 Q When, if ever, did you discuss Randy Pizzolo's death with
11 anyone else?

12 A Later with Anthony Rabito.

13 Q When you say later, in what time period did you have a
14 discussion with Anthony Rabito?

15 A A few days later.

16 Q Where did you see Anthony Rabito?

17 A I usually picked him up on the weekends and we went for
18 breakfast.

19 Q [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

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3 Q At that point in time what was your relationship with
4 Anthony Rabito?

5 A It was pretty close.

6 Q What was your formal relationship within organized crime?
7 Were you on record with them?

8 A At that time, no; I was on record with Anthony Pipitone.

9 Q What time period was this?

10 A This was in -- oh, actually, no. I was with Anthony
11 Rabito. It was in '04.

12 Q And you say you were reporting to Anthony Rabito?

13 A Yes.

14 Q And as an associate with Anthony Rabito, did you have
15 obligations with him -- to him?

16 A No.

17 Q To answer his questions?

18 A Just answer questions, yes.

19 Q What questions did he ask you relating to -- I'm sorry --
20 what question did he ask you in relation to Randy Pizzolo?

21 A If Joe ^{Gambino} ~~Gambino~~ had anything to do with that murder.

22 MR. GOLTZER: Objection. ~~_____~~

23 THE COURT: Overruled.

24 Q What did you say?

25 A I said I had no idea, and I just dropped it.

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1 Q Who did you tell about your conversation with Anthony
2 Rabito, if anyone?

3 A I spoke to Paul Spina about it.

4 Q Why did you tell Paul Spina about it?

5 A Because I found it odd that Anthony Rabito was going to
6 be asking me about a murder and who was involved in it.

7 Q What was your concern?

8 MR. GOLTZER: Objection.

9 THE COURT: You may answer.

10 THE WITNESS: That maybe Anthony Rabito was
11 cooperating.

12 BY MS. ARGENTIERI:

13 Q Is there a rule in organized crime about talking about
14 murder?

15 A Yeah.

16 Q What's the rule?

17 A Once murder happens, don't talk about it again; just
18 forget it.

19 Q After Randy Pizzolo's murder, what if any, discussion did
20 you have with Joey Gambina about someone being on the lam?

21 MR. GOLTZER: Objection.

22 THE COURT: Sidebar.

23 (Sidebar.)

24 (Continued on the next page.)

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1 (In open court.)

2 THE COURT: All right. You may proceed.

3 BY MS. ARGENTIERI:

4 Q I'm just going to repeat my question. After Randy
5 Pizzolo's murder, what, if any, discussion did you have about
6 somebody being on the lam?

7 A I had a discussion with Anthony Pipitone and Joey
8 Gambino.
Gambino.

9 Q And what did they tell you?

10 A About his -- Anthony Aiello being on the lam.

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